AMENDATORY SECTION (Amending WSR 10-10-040, filed 4/27/10, effective 5/28/10)

WAC 308-10-045 Costs of providing copies of public records. No fee shall be charged for the inspection of public records. ((The department shall charge a fee in the amount necessary to reimburse the department for its actual costs incident to providing copies of public records. The schedule of charges is:

> **ITEM** FEE

Copies produced on copying and duplicating equipment including

15 cents per page Computer generated listing, Cost of services and magnetic tapes or labels media

Microfilm copies 75 cents per page May be added to any Postal charges copy of a public record if applicable

Compact discs

(2))) Pursuant to RCW 42.56.120(2), as amended by section 3, chapter 304, Laws of 2017, the department declares that it would be unduly burdensome for it to calculate actual costs for providing copies of public records for the following reasons: Funds were not allocated to perform a study to calculate such actual costs and the agency lacks the necessary funds and staff resources to perform a study and calculate costs at this time, and completing a cost study would interfere with other essential agency functions.

(2) The department may charge fees for producing copies of public records consistent with the fee schedule established in RCW 42.56.120 (2)(b) and (c) and for customized services pursuant 42.56.120(3).

(3) Before beginning to make the copies, the public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The department will not charge sales tax when it makes copies of public records.

 $((\frac{3}{3}))$ ) (4) Payment may be made by check or money order to the department.

((4))) (5) When it is in the fiscal and administrative interest of the state, the public records officer or designee may waive charges of \$((4.50)) 5.00 or less.

> OTS-8952.1 [1]